

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

TRI STATE ADVANCED
SURGERY CENTER, LLC,
GLENN A. CROSBY II, M.D.,
F.A.C.S., and MICHAEL HOOD, M.D.,

Plaintiffs,

v.

Case No. 3:14cv0143 JM

HEALTH CHOICE, LLC, and
CIGNA HEALTHCARE OF
TENNESSEE, INC.,

Defendants.

CONNECTICUT GENERAL LIFE INSURANCE
COMPANY, CIGNA HEALTH AND LIFE
INSURANCE COMPANY, and CIGNA
HEALTHCARE OF TENNESSEE, INC.,

Counterclaim-Plaintiffs,

v.

SURGICAL CENTER DEVELOPMENT, INC
d/b/a SURGCENTER DEVELOPMENT and
TRI STATE ADVANCED SURGERY CENTER, LLC,

Counterclaim-Defendants.

UNOPPOSED MOTION FOR EXTENSION OF TIME

Surgical Center Development, Inc. d/b/a SurgCenter Development and Tri State Advanced Surgery Center, LLC (collectively “SurgCenter and Tri State”) move for an extension of time to file a responsive pleading to the counterclaims filed by Connecticut General Life

Insurance Company, Cigna Health and Life Insurance Company, Cigna Healthcare of Tennessee, Inc. (collectively, "Cigna"). Cigna does not oppose this Motion. In further support of the instant Motion, SurgCenter and Tri State state as follows:

1. On September 30, 2015, the Court entered an Order (Docket No. 92) granting in part and denying in part SurgCenter and Tri State's Motion to Dismiss (Docket No. 61).

2. Federal Rule of Civil Procedure 12(a)(4)(A) grants SurgCenter and Tri State fourteen (14) days after notice of the Court's Order to file a responsive pleading to the claims the Court did not dismiss. Accordingly, SurgCenter and Tri State's current deadline to file a responsive pleading is October 14, 2015.

3. SurgCenter and Tri State recently retained new counsel to represent them in this matter.

4. SurgCenter and Tri State's new counsel respectfully request a two week extension of time, that is until October 28, 2015, to review the case and file a responsive pleading.

5. Cigna does not oppose SurgCenter and Tri State's request.

WHEREFORE, PREMISES CONSIDERED, SurgCenter and Tri State pray the Court extend their deadline to file a responsive pleading to Cigna's counterclaims from October 14, 2015 to October 28, 2015.

Respectfully Submitted,

BURCH, PORTER & JOHNSON, PLLC

/s/ Douglas F. Halijan

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Attorneys for Surgical Center Development, Inc.

d/b/a SurgCenter Development and

Tri State Advanced Surgery Center, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been filed via the ECF filing system which will electronically serve a copy on all counsel of record this 13th day of October, 2015.

/s/ Douglas F. Halijan